

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board (Board) hereby gives Notice of Intended Action to amend Chapter 71, “Administration of the Conveyance Safety Program,” Chapter 72, “Conveyances Installed On or After January 1, 1975,” and Chapter 73, “Conveyances Installed Prior to January 1, 1975,” Iowa Administrative Code.

These amendments set forth new rules for elevators in broadcast towers. Many of the requirements mirror existing occupational safety and health standards and reflect current administrative practices.

The purposes of these amendments are to update the rules to reflect current administrative practices; to protect the health and safety of inspectors and mechanics who inspect, test, and work on broadcast towers; and to implement legislative intent.

Broadcast tower elevators pose unique hazards because they are exposed to the weather and can rise up to 2,000 feet in height. The proposed amendments are necessary to protect inspectors, mechanics, and others who work on about a dozen broadcast towers. The proposed amendments are narrowly tailored to protect workers at minimal expense. The provisions concerning inspection scheduling reflect existing practices. The proposals for anchorage points are designed to prevent falls in accordance with occupational safety and health requirements. A car top emergency stop switch can prevent a worker from being crushed, so the switches are standard on all new elevators. Vision panels allow the inspection of certain elevator components from the relative safety of the car. The proposed amendments do not require that vision panels be installed on an elevator if the hoist ropes, rope guides, and guide rails are already visible from inside the car. The proposed amendments will impose a cost of about \$4,000 for each broadcast tower elevator that must have a vision panel installed. The cost for broadcast tower elevators that do not need a vision panel is less than \$4,000.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on March 22, 2016, a public hearing will be held on March 23, 2016, at 10 a.m. in the Capitol View Room, 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted no later than March 23, 2016, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@iwd.iowa.gov.

No variance procedures are included in this rule. Applicable variance procedures are set forth in 875—Chapter 66.

These amendments are intended to implement Iowa Code chapter 89A.

The following amendments are proposed.

ITEM 1. Adopt the following **new** subparagraph **71.11(2)“a”(3)**:

(3) The inspector shall arrange to perform the periodic inspection of a broadcast tower elevator when the maintenance company is on site to perform the periodic tests. If the inspection is to be performed by employees of the commissioner, the inspection shall occur during the division’s normal business hours.

ITEM 2. Adopt the following new rule 875—72.28(89):

875—72.28(89) Elevators in broadcast towers. This rule applies to special purpose elevators located in broadcast towers.

72.28(1) Vision panels. Unless the hoist ropes, rope guides, and guide rails are visible from inside the elevator car while the car door is closed, vision panels made of clear acrylic shall be installed on the car in a manner to allow the inspection of hoist ropes, rope guides, and guide rails from inside the elevator car. Vision panels shall open to the inside of the car but shall not open to the outside of the car. Vision panels shall be closed and locked when not in use. Vision panels shall be replaced if they become opaque. A sign that reads “DO NOT OPEN VISION PANEL WHEN CAR IS MOVING” shall be posted inside the car next to the vision panel. A professional engineer who is duly licensed in the state of Iowa shall approve the manner of installation and materials used for the vision panel.

72.28(2) Anchorages. Anchorages compliant with 29 CFR 1926.502(d)(15) shall be attached inside the car and on the car top.

72.28(3) Emergency stop switch. An emergency stop switch compliant with ASME A17.1, Sections 2.26.2.8 and 5.7.19 shall be installed on the car top.

ITEM 3. Adopt the following new rule 875—73.28(89):

875—73.28(89) Elevators in broadcast towers. This rule applies to special purpose elevators located in broadcast towers.

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